

Debtors' Ex. 100

PUERTO RICO LAWS

751

Section 14. Due to its urgent and necessary nature, this Act shall take effect immediately upon being passed.

Passed on May 15, 1948.

[No. 221]

[*Passed on May 15, 1948*]

AN ACT

TO AUTHORIZE, SUBJECT TO CERTAIN REGULATIONS AND OVERSIGHT, CERTAIN GAMES OF CHANCE IN PUERTO RICO; TO IMPOSE LICENSE FEES FOR THEIR OPERATION AND SET THE MINIMUM REQUIREMENTS TO OBTAIN SUCH LICENSES; TO AUTHORIZE THE TOURISM ADVISORY BOARD OF THE PUERTO RICO INDUSTRIAL DEVELOPMENT COMPANY TO REGULATE SUCH GAMES OF CHANCE, AND THE TREASURER OF PUERTO RICO TO REGULATE AND COLLECT THE LICENSE FEES; AND TO ALLOCATE THE NECESSARY FUNDS FOR THE ENFORCEMENT OF THIS ACT.

The Legislature of Puerto Rico hereby decrees:

Section 1.- *Statement of Reasons.*- The purpose of this Act is to contribute to fostering tourism through the authorization of certain games of chance that are common in recreation places in the most important tourism centers around the world, as well as through the regulation and oversight of such games by the government, so as to offer tourists the best possible guarantees, while also providing the Treasury of Puerto Rico with an additional source of income.

Section 2.- Notwithstanding the provisions of Articles 299, 300, 301, 302, 303, and 304 of the Penal Code of Puerto Rico, games of chance involving roulette, dice, and cards are hereby authorized in gambling rooms operated under licenses issued in accordance with the terms of this Act, subject to the conditions and limitations of this Act and of any regulations issued thereunder.

Section 3.- The Treasurer of Puerto Rico is hereby authorized to issue licenses for the operation of gambling rooms for games of chance involving roulette, dice, and cards, to any individuals or legal entities able to satisfactorily prove that they meet the following requirements:

(a) To own and manage a hotel, restaurant, or *bona fide* recreation center for tourists, or a casino club or privately-owned center that allows tourists

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the use of its facilities, where the gambling room is to be established, or to o⁷⁵³ the building where one of such establishments is located.

(b) To not have been convicted of a felony or misdemeanor involving moral turpitude and have a good reputation in Puerto Rico. In the case of legal entities, all shareholders or partners must meet this requirement. In any event, this requirement shall apply to the actual owners and not merely to the nominal owners of the business or of any stake or share therein.

(c) To have the means and the organization to establish a gambling room for tourists at the hotel, restaurant, recreation center, casino club, or privately-owned center allowing tourists the use of its facilities, under their ownership and management.

Section 4. Any person interested in obtaining a license in accordance with this Act must file a sworn application before the Treasurer of Puerto Rico, certifying as to the requirements established in Section 3 herein. Prior to considering the application, the Board shall have a notice containing the facts of the application, the name of the applicant, and the name of the hotel, restaurant, or recreation center where the gambling room is to be established, published in a leading newspaper in the Island of Puerto Rico, once a week for four weeks. Fifteen days after the publication of the final notice, the Board may consider, and ultimately recommend the approval or denial of the application.

Section 5. Any licenses issued under this Act shall be subject to the payment of a license fee in the amount of \$24,000 per year by the licensee to the Treasury of Puerto Rico, payable quarterly in advance. License revenues shall be paid into the general funds of the Treasury of Puerto Rico. The Treasurer is hereby authorized to issue any regulations that may be deemed necessary or advisable for the assessment and collection of license fees and may proceed to collect such fees using the administrative and legal resources provided by law for the collection of taxes.

Section 6. Any licenses issued by the Treasurer under this Act shall display the name of the licensee, and of the hotel, restaurant, recreation center, casino club, or privately-owned center where the operation of a gambling room is authorized. No person other than the licensee and the licensee's employees may operate a gambling room, and no gambling room may be located in a site other than the one stated in the license. Should the licensee be a legal entity, the Treasurer and to the Boar must be notified in writing by the licensee of any

transfer or assignment of any share or stake therein within thirty days of the date on which said transfer or assignment takes place, regardless of the date on which the transfer is recorded in the register of shares. Failure to report such assignment or transfer, or the concealment in any fashion of the actual owner(s) of the gambling room, or of any share or stake in the legal entity holding a license, shall result in the cancellation of the license.

Section 7. The Board is hereby authorized to supervise and determine what constitutes a gambling table and regulate the gambling rooms operated under this Act, so as to safeguard and protect its patrons, and for that purpose it may, among other things, establish the rules that will govern the various games, set the hours of operation for the gambling rooms, and demand bonds, as well as take the necessary measures to govern and guarantee the collection of license fees. Any regulations issued by the Board in accordance with this section shall be effective only after their approval by the Governor of Puerto Rico.

Section 8. No gambling room shall be allowed to advertise or otherwise offer its facilities to the public of Puerto Rico, nor admit anyone under the age of eighteen.

Section 9.- The Treasurer of Puerto Rico may cancel a license granted under this Act to any person who (a) ceases to meet the requirements set forth in Section 3 herein; (b) fails to pay, or avoids paying, the license fees by the due date; (c) violates any of the provisions of this Act or of any regulations issued to enforce it. The Board may impose administrative fines on the licensee in any of the cases mentioned in this section, for a sum of no less than \$100, not to exceed \$10,000 per violation. The amount of the fine shall be paid into the general funds of the Treasury of Puerto Rico, and if such amount is not paid within thirty days from the date the licensee is notified of the fine, the Treasurer may cancel the license, or proceed to the collection of the fine, using the same procedures as for the collection of license fees.

Section 10.- The Treasurer of Puerto Rico and the Board shall appoint the staff that, in their judgment, is necessary for the enforcement of this Act and its regulations, which shall be included in the Exempt Service for the purposes of Act No. 345 of May 12, 1947... [text cuts off at this point]



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TRANSLATOR'S CERTIFICATE OF TRANSLATION

Translation from: Spanish (Puerto Rico) into English (US)
TARGEM Translations Inc.

I, Andreea I. Boscor, ATA-certified Spanish-English #525556, acting as translator at TARGEM Translations Inc., a NEW YORK City corporation, with its principal office at 185 Clymer Street, Brooklyn, NY, 11211, USA, certify that:

the English translated document is a true and accurate translation of the original Spanish and has been translated to the best of my knowledge.

Original Document Name: **Act 221 approved 5.15.1948**

Signed this 3rd day of October 2021



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Andreea I. Boscor

